



# Public Service Commission

## State of North Dakota

### COMMISSIONERS

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Randy Christmann  
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Executive Secretary  
Darrell Nitschke

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November 15, 2016

Lawrence Bender, Attorney At Law  
Fredrickson & Byron, P.A.  
1133 College Drive, Suite 1000  
Bismarck, ND 58501

Re: Dakota Access Pipeline Project, Case No. PU-14-842

Dear Mr. Bender:

Construction inspection reports in Case No. PU-14-842 cite issues of concern, including tree and shrub removal exceeding 85 feet in width (8/24/16 and 9/29/16 reports), insufficient topsoil stripping and debris left on the right-of-way (9/26/16 report), subsoil stockpiled on top of topsoil (10/4/16 report), a soil borrow area outside of the approved corridor (11/1/16 report), and a lack of erosion control devices and impacts to a wetland (11/1/16 report). These reports may be accessed through the Commission's online docket (docket numbers 212, 216, 218, 221, 222, and 235).

You are being provided this notification so that you may respond with information concerning the items noted, including any actions taken by the company to resolve. **Please provide a response to Darrell Nitschke, Executive Secretary, North Dakota Public Service Commission, 600 East Boulevard Avenue, Dept 408, Bismarck, ND 58505-0480 by November 29, 2016.** Information that you provide will be reviewed in order to determine whether any violations of the Commission's orders have occurred. If no response is received by the date noted, Staff will make the compliance determination based on information contained in the inspection reports.

Please contact me at 701-328-4188 with any questions regarding this correspondence.

Sincerely,



Julie Prescott  
Public Utilities Division

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Letter re post-construction inspection report

Public Service Commission

Julie Prescott